

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE BARD IVC FILTERS PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

~~MARK PARRISH~~ TERRY SNIDER,

**SECOND AMENDED MASTER SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS AND
DEMAND FOR JURY TRIAL**

Plaintiff,

V.

C. R. BARD and BARD PERIPHERAL
VASCULAR, INC.,

Defendants.

FIRST AMENDED SHORT FORM COMPLAINT

Plaintiff(s) named below, for their Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364). Plaintiff(s) further show the Court as follows:

- 1. Plaintiff/Deceased Party:**

Terry Snider

2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of consortium claim:

Not Applicable

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

Not Applicable

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Michigan

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Michigan

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Michigan

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court Northern District of West Virginia

8. Defendants (check Defendants against whom Complaint is made):

C.R. Bard Inc.

Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

Diversity of Citizenship

Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

- Recovery® Vena Cava Filter
 - G2® Vena Cava Filter
 - G2® Express Vena Cava Filter
 - G2® X Vena Cava Filter
 - Eclipse® Vena Cava Filter
 - Meridian® Vena Cava Filter
 - Denali® Vena Cava Filter
 - Other: _____

11. Date of Implantation as to each product:

11/29/2007

12. Counts in the Master Complaint brought by Plaintiff(s):

- Count I: Strict Products Liability – Manufacturing Defect
 - Count II: Strict Products Liability – Information Defect (Failure to Warn)
 - Count III: Strict Products Liability – Design Defect
 - Count IV: Negligence - Design
 - Count V: Negligence - Manufacture
 - Count VI: Negligence – Failure to Recall/Retrofit

- Count VII: Negligence – Failure to Warn
 - Count VIII: Negligent Misrepresentation
 - Count IX: Negligence *Per Se*
 - Count X: Breach of Express Warranty
 - Count XI: Breach of Implied Warranty
 - Count XII: Fraudulent Misrepresentation
 - Count XIII: Fraudulent Concealment
 - Count XIV: Violations of Applicable Michigan Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
 - Count XV: Loss of Consortium
 - Count XVI: Wrongful Death
 - Count XVII: Survival
 - Punitive Damages
 - Other(s): _____ (please state the facts supporting this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

Yes

1 No

2 RESPECTFULLY SUBMITTED this 21st day of November, 2018.

3 Respectfully submitted,

4 By: /s/Thomas P. Cartmell

5 Thomas P. Cartmell (MO Bar No. 45366)

6 (admitted *pro hac vice*)

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13 By: /s/David C. DeGreeff

14 David C. DeGreeff (MO Bar No. 55019)

15 (admitted *pro hac vice*)

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22 *Attorneys for Plaintiff*

I hereby certify that on this 21st day of November, 2018, I electronically transmitted
the attached document to the Clerk's Office using the CM/ECF System for filing and
transmittal of a Notice of Electronic Filing.

18 /s/ David C. DeGreeff